

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

William T. Coleman,

Plaintiff,

v.

16th Circuit Judicial Family Court of York  
County and Judge David G. Guyton,

Defendants.

C/A No. 0:17-2541-JFA

**ORDER**

Plaintiff William T. Coleman (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. (ECF No. 1).

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a Report and Recommendation wherein she suggests that this Court should dismiss this action with prejudice, in accordance with Rule 41(b) of the Federal Rules of Civil Procedure. The Report sets forth in detail the relevant facts and standards of law on this matter, and the Court incorporates such without a recitation.

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<sup>1</sup> The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

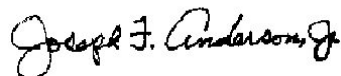
The Plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on November 7, 2017. (ECF No. 10). However, the Plaintiff did not file objections, and the time within which to do so has now expired. In addition, the Report mailed to the Plaintiff was returned to the Clerk's Office by the U.S. Postmaster as "Unable to forward." In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the the Magistrate's recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Magistrate Judge has allowed the Plaintiff ample time to respond to the Court's orders and the Plaintiff has failed to do so. This Court agrees with the Magistrate Judge that the Plaintiff meets all of the criteria for dismissal under Rule 41(b). *See Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989); *Davis v. Williams*, 588 F.2d 69 (4th Cir. 1978).

Accordingly, this action is dismissed with prejudice for lack of prosecution and failure to comply with the Court's orders.

IT IS SO ORDERED.

January 5, 2018  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge